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 17 *Caesars Entertainment, Inc.*

18 **UNITED STATES DISTRICT COURT**

19 **DISTRICT OF NEVADA**

20 In re: DATA BREACH SECURITY  
 21 LITIGATION AGAINST CAESARS  
 22 ENTERTAINMENT, INC.

23 Master File No. 2:23-cv-01447-ART-BNW

24 (Consolidated for pre-trial proceedings with  
 Case Nos. 2:23-cv-01482, 2:23-cv-01483, 3:23-  
 cv-00470, and 2:23-cv-01562)

25 **DEFENDANT CAESARS  
 26 ENTERTAINMENT, INC.'S MOTION TO  
 27 CONSOLIDATE ADDITIONAL CASES  
 FOR PRE-TRIAL PROCEEDINGS**

28 EDWARD CHERVENY, AMANDA  
 COLFLESH, CAREY HYLTON, CYNTHIA  
 RUBNER, and WILLIAM RUBNER,

Plaintiffs,

Case No. 2:23-cv-01818-ART-BNW

v.

Caesars Entertainment, Inc.,

Defendant.



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<p>1 JAMES MARTIN and PATRICE M. 2 PERRIER, individually and on behalf of all 3 other similarly situated, 4 Plaintiffs, 5 v. 6 Caesars Entertainment, Inc., 7 Defendant.</p>	Case No. 2:23-cv-01865-GMN-NJK
<p>8 VANESSA WILLIAMS, ROZALYNN 9 FISHER, LAURA DAY, SARUNY BIN, 10 AND MARLENE CALZADOPAEZ, 11 individually and on behalf of all other similarly 12 situated, 13 Plaintiffs, 14 v. 15 Caesars Entertainment, Inc., 16 Defendant.</p>	Case No. 2:23-cv-01919-JAD-DJA
<p>17 CHARLES POPP, JOHN GEDWILL, and 18 VIRGINIA STACY, individually and on 19 behalf of all others similarly situated, 20 Plaintiff, 21 v. 22 Caesars Entertainment, Inc., 23 Defendant</p>	Case No. 3:23-cv-0063-MMD-CSD
<p>24 NICHOLAS BALSAMO, and DORLA 25 STEWART, individually and on behalf of all others similarly situated, Plaintiff, v. Caesars Entertainment, Inc., Defendant.</p>	Case No. 2:24-cv-00043-APG-NJK

1 SAMUEL LASOFF, individually and on  
 2 behalf of all others similarly situated,

Case No. 2:24-cv-00127-GMN-EJY

3 Plaintiff,

4 v.

5 Caesars Entertainment, Inc.,

6 Defendant.

7 Pursuant to Rule 42 of the Federal Rules of Civil Procedure, Paragraph 4 of the Court's  
 8 October 26, 2023 Order Consolidating Cases (ECF No. 21), and Paragraph 2 of the Court's  
 9 December 15, 2023 Order Granting Defendant Caesars Entertainment, Inc.'s Motions (ECF Nos.  
 10 24, 37) to Consolidate Cases for Pretrial Proceedings (ECF No. 46), Defendant Caesars  
 11 Entertainment, Inc. ("Caesars") through its counsel, files this motion to consolidate certain later-  
 12 filed actions into this Consolidated Action. In support of the Motion, Caesars states as follows:

13 **WHEREAS**, between September 15, 2023, and September 29, 2023, five putative class  
 14 actions were filed in this District against Caesars relating to an IT security incident reported by  
 15 Caesars on or around September 14, 2023 (the "First Batched Actions");

16 **WHEREAS**, on October 5, 2023, plaintiffs in the First Batched Actions filed an  
 17 unopposed motion to consolidate the First Batched Actions, which this Court granted on October  
 18 26, 2023, under the case caption *In re Data Breach Security Litigation Against Caesars*  
 19 *Entertainment, Inc.*, No. 2:23-cv-01447-ART-BNW (ECF No. 21) ("Consolidated Action");

20 **WHEREAS**, on November 3, 2023, Caesars filed an unopposed motion to consolidate  
 21 additional putative class actions relating to the security incident and filed in this District between  
 22 September 29, 2023 and November 3, 2023 (the "Second Batched Actions"), which this Court  
 23 granted on December 15, 2023, under the case caption *In re Data Breach Security Litigation*  
 24 *Against Caesars Entertainment, Inc.*, No. 2:23-cv-01447-ART-BNW (ECF No. 46);

25 **WHEREAS**, the Court's Order consolidating the Second Batched Actions stated that,  
 26 "[s]hould a case that arises out of the same subject matter of the Consolidated Action subsequently



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1 be filed in this Court or transferred from another Court, a motion may be made to consolidate  
2 with” the Consolidated Action (ECF No. 46 at paragraph 2);

3       **WHEREAS**, after the filing of the motions to consolidate the First Batched Actions and  
4 Second Batched Actions, the following additional actions were filed against Caesars and are now  
5 pending in this District (“Third Batched Actions”):

- 6       1. *Cherveny v. Caesars Entertainment, Inc*, No. 2:23-cv-01818-ART-BNW (filed  
7 November 6, 2023, and transferred on November 30, 2023 (ECF 13));
- 8       2. *Martin v. Caesars Entertainment, Inc.*, No. 2:23-cv-01865-GMN-NJK (filed  
9 November 13, 2023);
- 10      3. *Williams v. Caesars Entertainment, Inc.*, No. 2:23-cv-01919-JAD-DJA (filed  
11 November 20, 2023);
- 12      4. *Popp v. Caesars Entertainment, Inc.*, No. 3:23-cv-0063-MMD-CSD (filed December  
13 9, 2023);
- 14      5. *Balsamo v. Caesars Entertainment, Inc.*, No. 2:24-cv-00043-APG-NJK (filed October  
15 13, 2023, Transferred from the Central District of California on January 5, 2024); and
- 16      6. *Lassoff v. Caesars Entertainment, Inc.*, No. 2:24-cv-00127-GMN-EJY (filed October  
17 9, 2023, Transferred from the District of New Jersey on January 18, 2024).

18       **WHEREAS**, the Third Batched Actions arise from the same subject matter as the already  
19 consolidated First Batched Actions and Second Batched Actions, allege substantially similar facts  
20 and claims, and have proposed class definitions that will encompass the same persons;

21       **WHEREAS**, no party currently in the Consolidated Action has opposed procedural  
22 consolidation of all cases into the Consolidated Action for pre-trial proceedings under Fed. R. Civ.  
23 P. 42(a);

24       **WHEREAS**, Caesars takes no position on any forthcoming or pending leadership motion,  
25 while expressly otherwise reserving all of its rights, remedies, defenses, objections, and legal  
26 arguments;

27  
28



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1           **WHEREAS**, in an effort to ensure consistent rulings and decisions and to avoid  
 2 unnecessary duplication of effort, Caesars, without opposition, moves this Court for entry of an  
 3 order consolidating the Third Batched Actions into the Consolidated Action;

4           1. NOW, THEREFORE, Caesars requests that the Court consolidate the following  
 5 actions for all pre-trial proceedings into the Consolidated Action, captioned *In re Data Breach*  
 6 *Security Litigation Against Caesars Entertainment, Inc.* No. 2:23-cv-01447-ART-BNW<sup>1</sup>:

7 <b>Abbreviated Case Name</b>	8 <b>Case No.</b>	9 <b>Date Filed</b>
10 <i>Cherveny v. Caesars Entertainment, Inc.</i>	11           2:23-cv-01818	12           November 6, 2023
13 <i>Martin v. Caesars Entertainment, Inc.</i>	14           2:23-cv-01865	15           November 13, 2023
16 <i>Williams v. Caesars Entertainment, Inc.</i>	17           2:23-cv-01919	18           November 20, 2023
19 <i>Popp v. Caesars Entertainment, Inc.</i>	20           3:23-cv-0063	21           December 9, 2023
22 <i>Balsamo v. Caesars Entertainment, Inc.</i>	23           2:24-cv-00043	24           October 13, 2023
25 <i>Lassoff v. Caesars Entertainment, Inc.</i>	26           2:24-cv-00127	27           October 9, 2023

12           Dated: January 23, 2024.

13           Respectfully submitted,

14           By: /s/ Adam Hosmer-Henner  
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 16           Chelsea Latino (NSBN 14227)  
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36           Attorneys for Defendant,  
 37           Caesars Entertainment, Inc.

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28           <sup>1</sup> See Proposed Order attached hereto as **Exhibit 1**.

## **INDEX OF EXHIBITS**

<b>EXHIBIT</b>	<b>DESCRIPTION</b>	<b>PAGES</b>
A	Proposed Order Granting Defendant Caesars Entertainment, Inc.'s Motion to Consolidate Additional Cases for Pre-Trial Proceedings	4

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